

MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Tuesday, February 17, 2009

Township of Pine Municipal Building

EXECUTIVE SESSION - Personnel

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Frank Spagnolo; Ted Owen; and Ed Holdcroft. Also in attendance were Gavin Robb, Tucker Arensberg, P.C. Township Solicitor; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; and Jack C. Fasick, Director of Public Works.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to call an Executive Session at 6:00 p.m. for the purpose of discussing personnel matters. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to terminate the Executive Session at 6:30 p.m. The aye vote was unanimous. Motion carried.

REGULAR MEETING

Mr. Dennehy questioned Mr. Robb if the Executive Session met the guidelines of the Sunshine Act and Mr. Robb responded affirmatively, as the discussion related to personnel.

This meeting of the Township of Pine Board of Supervisors was called to order at 6:35 p.m. by Michael J. Dennehy, Chair.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Frank Spagnolo, Ted Owen, and Ed Holdcroft. Also in attendance were Gavin Robb, Tucker Arensberg, P.C.; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; Larry Kurpakus, Director of Land Development; Jack C. Fasick, Director of Public Works; Joni K. Patsko, Director of Parks and Recreation; and Kevin Brett of Lennon, Smith Souleret Engineering Inc. Northern Regional Police Chief T. Robert Amann and Carole Keeley, Northern Tier Library Board, were present through their reports.

There were seven visitors present.

CORRESPONDENCE

Mrs. Fischer distributed minutes of the January 13, 2009 Parks and Recreation Commission and Parks Subcommittee meetings and a memorandum regarding a Capital Reserve Account in the police budget.

PUBLIC COMMENT

There were no requests to address the Board of Supervisors at this time.

COMMITTEES

Parks and Recreation Commission

Resolution 794 - Community Park Field Rental

Mr. Dennehy advised that Resolution 794 will adjust playing field permit fees for 2009.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to enact Resolution 794, amending certain provisions of the standard fee schedule for various permits and usage of the playing fields in Pine Community Park and in Karrington Woods Park (Sections A144-13B and A144-13C, respectively) as set forth and codified in Chapter A144 of the Code of the Township of Pine. The aye vote on the motion was unanimous. Motion carried.

Summer Recreation Program

Ms. Patsko reported that consideration is being given to holding the 2009 Summer Recreation Program at the Community Center. She estimated that program fees will be increased from \$110 to \$130 and extended program fees from \$135 to \$160, to cover costs.

Program Waiver

Ms. Corrie Noir introduced herself as a Township resident, an attorney, and a current volunteer on the Recreation Subcommittee. She asked, as a program participant and a member of the public, that the Township reconsider the requirement for the signing of a waiver when registering for Community Center programs.

Mr. Robb counseled that the existing requirements were specifically drafted to protect the Township and if the waiver was not required, it would leave the Township less protected.

Ms. Noir stated that the Township has opportunity to protect itself through insurance. She noted that the Township does not require waivers for other Township activities.

Mr. Dennehy stated that the Township will need to consult with the Solicitor and the Township insurance carrier, to which the remaining Board members agreed.

Lastec Mower

Ms. Patsko requested authorization to purchase a replacement of the current Lastec mower. She recommended purchase of a new Lastec mower at the State contract price of \$15,675.

COMMITTEES

Parks and Recreation Commission

Lastec Mower (Continued)

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to authorize purchase of a Lastec mower from Krigger and Company in the amount of \$15,675. The aye vote on the motion was unanimous. Motion carried.

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Mrs. Keeley provided 2008 library statistics, specifying that 10,384 patrons registered the Northern Tier Library as their home library. Total circulation was 264,736, almost 3,000 more than 2007. 62% of the circulation was books and 38% was audio-visual items. 210 adult programs were offered and attended by 3,073 people, and 161 child programs were offered and attended by 5,631 children. Mrs. Keeley noted that the Tutor.com program has been very well received. She expressed appreciation to the Township for including information on the program in the recent newsletter.

North Hills COG

There was no report on the North Hills Council of Governments at this time.

Pine-Richland School District

Mr. Henry reported that the school district has authorized a feasibility study for construction of a 25 classroom high school addition. They have also approved replacement of the high school stadium Astroturf. He added that they continue to seek a replacement for Superintendent James Manley, who will be retiring.

PUBLIC SAFETY

Joint Police Board

Chief Amann provided statistics for January, as he had not submitted a written report.

Mr. Owen questioned results of the recent DUI checkpoint.

The Chief reported that checkpoints typically average 6 to 10 violations and the January 23, 2009 checkpoint was within that range.

INTERGOVERNMENTAL AGENCIES

Wexford Volunteer Fire Company

Mr. Dennehy noted that the Wexford Volunteer Fire Company had 42 calls in January.

Fire Marshal

Mr. Dennehy acknowledged the January 2008 Fire Marshal's report.

REPORT OF THE SOLICITOR

Mr. Robb has no report.

COMMUNITY DEVELOPMENT UPDATE

Mr. Kurpakus reported a recent meeting with a developer considering a 12 lot subdivision along Babcock Boulevard across from Lake MacLeod. He advised that the February Planning Commission meeting was cancelled due to a lack of agenda items.

REPORT OF ENGINEER

Mr. Brett highlighted Lennon Smith Souleret's February 12, 2009 summary of the engineering work performed or authorized as of the January work session.

PUBLIC WORKS REPORT

Mr. Fasick had nothing to add to his written report.

Mr. Owen commended the Public Works Department for all the recent winter road maintenance.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to approve the minutes of the January 20, 2009 Board of Supervisors meeting. The aye vote on the motion was unanimous. Motion carried.

HIGHCROFT LEARNING AND PERFORMANCE CENTER

Mr. Robert Boudreau, Highcroft Learning and Performance Center, introduced himself as founder and conductor of the Pittsburgh Wind Symphony Orchestra. He expressed his desire to host six musical performances in 2009 on his 98 acre farm location on Dean Road, beginning on

ADMINISTRATIVE MATTERS

HIGHCROFT LEARNING AND PERFORMANCE CENTER (Continued)

June 27, 2009. He advised that the concerts will occur on that date and the following five Saturdays from 7:00 to 8:30 p.m. Mr. Boudreau pointed out that seven acres have been allocated for parking and that parking could also occur on the closed area of Dean Road and he felt the closed end of Dean Road could be opened for those events.

Mr. Owen questioned if proper procedures have been followed.

Mr. Anderson reported that the Highcroft school and amphitheatre were originally proposed in 1999 and Mr. Boudreau was advised at that time that the property zoning would only permit the stage as an accessory to the school. However, the stage was constructed but the school was not. Mr. Anderson specified that concerns at that time, as well as now, are parking, lighting, and bathroom facilities.

Mr. Holdcroft questioned if sanitary facilities are in place at this time.

Mr. Boudreau replied that the soil percolation has been approved by the Allegheny County Health Department. He added that he is investigating an innovative Swedish process that uses sunlight to cleanse wastewater and is considering pursuing the use of wind power. Mr. Boudreau stated that a school is being constructed under the stage area and consideration is being given to providing educational opportunities for autistic children.

Mr. Owen questioned if other Township concerns have been addressed.

Mr. Anderson reported that the Township had been advised, the prior summer, that construction under the stage was occurring, although permits had not been issued.

Mr. Boudreau advised that lighting was installed the prior summer, although it will still be light in the summer when the concerts have ended.

Mr. Kurpakus noted that the construction and lighting have not been inspected.

Mr. Owen stated that the applicant must comply with Township requirements before the first concert.

Mr. Dennehy expressed his opinion that the project should be reviewed by the Planning Commission, which is standard procedure.

Mr. Henry suggested that Mr. Boudreau consider use of the high school to stage the concerts, but Mr. Boudreau expressed his preference for the natural setting his property can provide.

ADMINISTRATIVE MATTERS

HIGHCROFT LEARNING AND PERFORMANCE CENTER (Continued)

Mr. and Mrs. William Hansen, 822 Mt. Pleasant Road, commended Mr. Boudreau's goal and dream of the Highcroft Learning Center. He expressed support and pursuit of grants to complete the project. He agreed that the issues must be resolved quickly, so as to confirm the concerts schedule. Mr. Hansen requested the Township's requirements in detail.

Mr. Boudreau expressed his intent to contact the Township the following day.

Mr. Owen suggested that Mr. Boudreau ask his legal counsel to attend the meeting with the Township.

PA TURNPIKE COMMISSION – Memorandum of Understanding

Mr. Anderson stated that the Memorandum of Understanding between the Pennsylvania Turnpike Commission and the Township has been reviewed by both legal counsels. He reminded that the agreement is in regard to the roadway and bridge reconstruction project MP31-MP38. He noted that the required exhibits have been provided and the document is now in a form to be considered for approval.

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to authorize execution of the Memorandum of Understanding with the Pennsylvania Turnpike Commission. The aye vote on the motion was unanimous. Motion carried.

2008 POLICE EOY BUDGET OVERAGE FUNDS

Chief Amann reported that there is a surplus of \$64,756.37 from the police department's 2008 budget, from which the Joint Police Board recently approved \$40,000 for the ongoing building renovation. He added that the Joint Police Board also discussed establishing a Capital Reserve Account as a line item in the police budget where the remaining \$24,756.37 would be placed, conditioned upon approval of each municipality. The Chief then provided several conditions on the Capital Reserve Account line item, if approved by the municipalities.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to endorse the Township Managers' memorandum of February 13, 2009, approving the establishment of a separate Capital Reserve Fund in the Police Department with the following conditions: 1) Create a separate Capital Reserve Fund (not a line item in the operating budget), held in a PLGIT account with check writing ability, which earns the maximum interest. 2) Transfer the entire surplus of \$64,756.37 to the Capital Reserve Fund PLGIT account. 3) Prepare a 2009 Capital Reserve Fund budget, allocating funds for the building remodeling project and designating any excess funds in an unappropriated reserve line item within the Capital Reserve budget. 4) A general Capital Reserve Budget shall be prepared annually, and the Joint Police Board, as part of its budget adoption process, shall decide how much of any year-end surplus funds shall be allocated to the

ADMINISTRATIVE MATTERS

2008 POLICE EOY BUDGET OVERTAGE FUNDS (Continued)

fund and shall approve the expenditures to be made from the fund in the next budget year. 5) Expenses limited to fixed asset replacement or capital equipment with a three year or more useful life. After 2009, major capital asset purchases would be made from the Capital Reserve Fund, not from the operating budget. 6) The Capital Reserve Fund should be capped at 5% of the total operating budget. 7) Additional conditions as listed in the February 10, 2009 memorandum of Chief T. Robert Amann as follows: A) The amount allocated will be reviewed by the Joint Police Board each year. B) Reserve account will be used for capital purchases. C) All purchases must be approved by the Joint Police Board. D) Dollar amount of Capital Reserve Account may be capped by the Joint Police Board. E) If the Capital Reserve Account is capped, any additional surplus funds in any given year would be returned to the townships and borough. The aye vote on the motion was unanimous. Motion carried.

LIFE FLIGHT

Mr. Dennehy reported that the Pine-Richland School District has requested authorization to host Life Flight at their Wexford Elementary School student health fair.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize Life Flight to access the Wexford Elementary health fair on May 6, 2009. The aye vote on the motion was unanimous. Motion carried.

MUNICIPAL BUILDING COUNTERTOP

Mr. Anderson reminded that the purchase of a countertop for the Municipal Building renovation had been rebid. He advised that Manor House Kitchens is the low bid at \$8,304.95.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo for purchase and installation of a countertop for the Municipal Building from Manor House Kitchens in the amount of \$8,304.95. The aye vote on the motion was unanimous. Motion carried.

MUNICIPAL BUILDING OFFICE FURNITURE

Mrs. Fischer referred to a quote by Continental Office Environments and explained that the amount of \$12,942.50 is for office furniture for the ongoing renovations. She reminded that \$55,000 has been budgeted for the remodeling project.

Motion was made by Mr. Holdcroft and seconded by Mr. Owen to authorize purchase of office furniture from Continental Office Environments in the amount of \$12,942.50. The aye vote on the motion was unanimous. Motion carried.

MUNICIPAL BUILDING ROTARY FILES

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to authorize purchase of rotary files from Continental Office Environments in the amount of \$12,207.76. The aye vote on the motion was unanimous. Motion carried.

Mr. Dennehy recommended that additional options for file storage be investigated.

REVIEW PROPOSED AGENDA FOR MONDAY, MARCH 2, 2009

Unfinished Business – None

New Business - None

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to cancel the March 2, 2009 Board of Supervisors meeting due to lack of agenda items. The aye vote on the motion was unanimous. Motion carried.

EXECUTIVE SESSION - Personnel

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to hold an Executive Session at 7:25 p.m. The aye vote on the motion was unanimous. Motion carried.

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Frank Spagnolo; Ted Owen; and Ed Holdcroft. Also in attendance were Gavin Robb, Tucker Arensberg, P.C. Township Solicitor; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; Jack C. Fasick; and Joni K. Patsko, Director of Parks and Recreation.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to terminate the Executive Session at 8:00 p.m. The aye vote was unanimous. Motion carried.

REGULAR MEETING

Mr. Dennehy questioned Mr. Robb if the Executive Session met the guidelines of the Sunshine Act and Mr. Robb responded affirmatively, as the discussion related to personnel.

ADJOURN

Motion was made by Mr. Owen and seconded by Mr. Henry to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 8:00 p.m.